

# MEMORANDUM ENDORSED



P.O. Box 8684  
Portland, OR 97207  
(925) 330-0359

Megan@InformationDignityAlliance.org

June 28, 2023

**VIA ECF**

Hon. Gabriel W. Gorenstein  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Request for Adjournment in *White v. DistroKid*., No. 22-cv-2205-VEC-GWG

Dear Judge Gorenstein:

The Court has ordered the Parties to attend a Rule 16 conference presently scheduled for 10:30a.m. on Thursday, July 6, 2023. Dkt. 46. Due to travel schedules and family obligations, among other reasons, counsel for Plaintiff Brian White and for Defendant DistroKid cannot make the scheduled time.

The Parties have conferred, and I have consulted with the Deputy Clerk regarding the dates and times available for a rescheduled hearing. The Parties and, as confirmed by the Deputy Clerk, the Court are available on September 7, 2023 at 10:30 a.m. Accordingly, I respectfully request, with the consent of all Parties, to reschedule the hearing to that date and time. This proposed date accommodates summer travel schedules, family obligations, and present and ongoing mediation posture of this matter.

Accordingly, I respectfully request that the Court adjourn the present hearing date from July 6 until **Thursday, September 7, 2023, at 10:30am.**

Respectfully submitted,

/s/ Megan Keenan

Megan Keenan

Attorney

INFORMATION DIGNITY ALLIANCE

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*Attorney for Plaintiff Brian White*

Cc: Other counsel of record via ECF or via email on consent

Application denied without prejudice. This letter does not clearly indicate that it has been served on all parties (specifically, the pro se defendant Eunice Lloyd) and is also not clear as to whether Ms. Lloyd agreed to this change. The Court notes further that the reference to “travel schedules” is confusing given that the conference will take place by telephone. Perhaps counsel did not focus on this fact. Counsel may wish to leave the conference on the current date or to seek to re-schedule it for a much earlier date. Regardless, the application is denied without prejudice to a new application that clarifies the issues as to Ms. Lloyd.

SO ORDERED.

DATE: June 29, 2023

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge